



May 15, 2007 CPC
July 17, 2007 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

07SN0314

Carrie E Coyner, Trustee

Matoaca Magisterial District
Spring Run Elementary; Bailey Bridge Middle; and Cosby High Schools Attendance Zones
West line of Winterpock Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-12) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements.

PROPOSED LAND USE:

A mixture of residential uses, to include single family and cluster homes, along with supporting recreational uses is planned. The applicant has agreed to limit development to a density of two (2) dwelling units per acre, yielding approximately fifty-five (55) dwelling units. (Proffered Condition 5)

RECOMMENDATION

Recommends approval for the following reasons:

- A. The proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for conservation/passive recreation uses and residential use of 2.0 units per acre or less.
- B. The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

- (NOTES: A. THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.
- B. IT SHOULD BE NOTED THAT AMENDMENTS TO THE PROFFERED CONDITIONS WERE NOT RECEIVED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THESE AMENDMENTS.)

CONDITION

The Textual Statement dated April 23, 2007 shall be considered the Master Plan. (P)

PROFFERED CONDITIONS

The Owner-Applicant in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the property known as Chesterfield County Tax ID 721-662-1358-00000 (the "Property") under consideration will be developed according to the attached Textual Statement and the following conditions if, and only if, the rezoning requests for R-12 as set forth in the above heading and the application filed herein is granted. In the event the request is denied or approved with conditions not agreed to by the Owner-Applicant, these proffers and conditions shall be immediately null and void and of no further force or effect.

1. Timbering. Except for the timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved erosion devices have been installed. (EE)
2. Utilities.
 - (a) Public water and wastewater shall be used.
 - (b) Prior to the issuance of a building permit for each tentative subdivision plat approved for the property, the developer shall make payment to Chesterfield County in the amount of \$200.00

per acre (not to exceed an aggregate payment of \$5,520.00 based upon a total of 27.6 acres) as a contribution toward the expansion of the Dry Creek Wastewater Pump Station. (U)

3. Cash Proffer. The applicant, subdivider, or assignee(s) (the “Applicant”) shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each dwelling unit for infrastructure improvements within the service district for the property:
 - a. \$15,600 per dwelling unit if paid prior to July 1, 2007. At the time of payment, the \$15,600 will be allocated pro-rata among the facility costs as follows: \$5,331 for schools, \$602 for parks and recreation, \$348 for library facilities, \$8,915 for roads, and \$404 for fire stations; or
 - b. The amount approved by the Board of Supervisors not to exceed \$15,600 per dwelling unit prorated as set forth above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007.
 - c. If, upon the mutual agreement of the Transportation Department and the Applicant, the Applicant provides road improvements (the “Improvements”), other than the improvements identified in proffered condition 4 as set forth below, then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value than that which would have been collected through the payment(s) of the road component of the cash proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the Applicant shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) (“Work”). Before any Work is performed, the Applicant shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.
 - d. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)
4. Transportation.
 - a. In conjunction with the recordation of the initial subdivision plat or within ninety (90) days of a written request by the County, whichever occurs first, sixty (60) feet of right-of-way on the west side of Winterpock Road, measured from the centerline of that part of Winterpock Road immediately

adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County.

- b. Direct vehicular access from the property to Winterpock Road shall be limited to one (1) public road. The exact location of this public road shall be approved by the Transportation Department.
 - c. In conjunction with development of the initial section, the developer shall be responsible for the following improvements:
 - (i) Construction of additional pavement along Winterpock Road at the public road intersection to provide left and right turn lanes; and,
 - (ii) Widening/improving the west side of Winterpock Road to an eleven (11) foot wide travel lane, measured from the centerline of the road, with an additional one (1) foot wide paved shoulder plus a seven (7) foot wide unpaved shoulder, and overlaying the full width of the road with one and a half (1.5) inch of compacted bituminous asphalt concrete, with any modifications approved by the Transportation Department, for the entire property frontage; and,
 - (iii) Dedication, free and unrestricted, to and for the benefit of Chesterfield County, of any additional right-of-way (or easements) required or these improvements. In the event the developer is unable to acquire any “off site” right-of-way that is necessary for any improvement described in 4(c), the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the “off-site” right-of-way, the developer shall be relieved of the obligation to acquire the “off-site” right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)
5. Density. The total number of residential dwelling units on the Property shall not exceed 2.0 dwelling units per acre. (P)

GENERAL INFORMATION

Location:

West line of Winterpock Road, south of Bethia Road. Tax ID 721-662-1358.

Existing Zoning:

A

Size:

27.6 acres

Existing Land Use:

Residential or vacant

Adjacent Zoning and Land Use:

North, South and East - A; Single family residential or vacant

West - R-12; Vacant (Proposed Harper's Mill Subdivision)

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along the east side of Winterpock Road, opposite this site. Use of the public water system is recommended by the Upper Swift Creek Plan. (Proffered Condition 2.a)

Per Utilities Department Design Specifications (DS-21), wherever possible, two (2) supply points shall be provided for subdivisions containing more than twenty-five (25) lots.

Public Wastewater System:

There is an existing eighteen (18) inch wastewater trunk line extending along the Fuqua Branch of Dry Creek that terminates adjacent to Featherchase Drive in Ashbrook Subdivision Section 6, approximately 4,200 feet north of this site. A future eighteen (18) inch wastewater trunk line is planned along Fuqua Branch a portion of which will be built by the Harper's Mill development. Currently, Section 1 of Harper's Mill is under design and if built as proposed, will extend the trunk line to a point just north of Harper's Mill Parkway, about 2,500 feet north of this site. Further extension of the trunk line will be delayed till Phase 6 of the Harper's Mill development, as outlined in the Harper's Mill Utility Phasing Plan. Phase 6 is the final phase of that development. Use of the public wastewater system is recommended by the Upper Swift Creek Plan. (Proffered Condition 2.a)

The request site is within the Dry Creek Drainage Basin and is served by the Dry Creek Wastewater Pump Station. When originally built, the Dry Creek Wastewater Pump Station was designed with limited capacity with the intent being that further development within the basin would pay for the future expansion. To provide for their share of this expansion, the applicant has proffer to pay to the county \$5,520.00 based on a total acreage of 27.6 acres times \$200.00 per acre. (Proffered Condition 2.b)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the north via tributaries to Lake Ashbrook and then to Swift Creek Reservoir. There are currently no on- or off-site drainage or erosion problems and none are anticipated after development.

The property is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering. This will insure that adequate erosion controls are in place prior to timbering. (Proffered Condition 1)

Water Quality:

The stream adjacent to the western portion of the property is a perennial stream and, as such, is subject to a 100 foot conservation area inside of which uses are very limited. The property is also bisected by another stream that must have a perennial flow determination approved by the Department of Environmental Engineering prior to submitting a tentative plan.

The subject property will be required to provide on-site source control to address their water quality issues.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six new stations, the Plan also recommends the expansion of five (5) existing stations. Based on fifty-five (55) dwelling units, this request will generate approximately seven (7) calls for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS. (Proffered Condition 3)

The Winterpock Fire Station, Company #19, currently provides fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Schools:

Approximately twenty-nine (29) (Elementary: 13, Middle: 7, High: 9) students will be generated by this development. This site lies in the Spring Run Elementary School attendance zone: capacity - 943, enrollment - 1,303; Bailey Bridge Middle School zone: capacity - 1,521, enrollment - 1,563; and Cosby High School zone: capacity - 1,750, enrollment - 1,212. The enrollment is based on September 29, 2006 and the capacity is as of 2006-2007. This request will have an impact on the elementary and middle school involved. There are currently eighteen (18) trailers at Spring Run.

The new Winterpock Elementary School is scheduled to open this fall and the new Tomahawk Middle School is scheduled to open in 2008. The new elementary school will provide relief for Spring Run and Grange Hall Elementaries and the new middle school will provide relief for schools in this area of the county. This area of the county continues to experience growth and these schools will provide much needed space. This case combined with other residential developments and zoning cases in the area, will continue to push these schools over capacity, necessitating some form of relief in the future. The applicant has addressed the impact of the development on schools. (Proffered Condition 3)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development could affect either the existing Clover Hill Library or a proposed new facility in the vicinity of Beach and Winterpock Roads. The Plan identifies a need for additional library space in this area. The applicant has addressed the impact of the development on libraries. (Proffered Condition 3)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Public Facilities Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has offered measures to assist in addressing the impact of this proposed development on these parks and recreational facilities. (Proffered Condition 3)

Transportation:

The property is located on the west side of Winterpock Road just north of the Springford Parkway intersection. The applicant is requesting rezoning from Agricultural (A) to Residential (R-12) with a Conditional Use Planned Development. Based on single-family trip rates, development could generate approximately 540 average daily trips. These vehicles will initially be distributed along Winterpock Road, which had a 2005 traffic count of 8,522 vehicles per day. Based on the volume of traffic it carried during peak hours, Winterpock Road was at capacity. (Level of Service E)

The Thoroughfare Plan identifies Winterpock Road as a major arterial with a recommended right of way width of ninety (90) feet; however, included in the proposed amendment to the Upper Swift Creek Plan is a recommendation to increase the recommended right of way width for Winterpock Road to 120 feet. Staff has determined that this section of Winterpock Road will need to be six (6) lanes to accommodate traffic volumes at total build out. A 120 foot wide right of way is required to construct a six (6) lane facility. The applicant has proffered to dedicate sixty (60) feet of right of way on the west side of Winterpock Road, measured from the centerline, in accordance with this recommendation. (Proffered Condition 4.a)

Access to major arterials, such as Winterpock Road, should be controlled. The applicant has proffered that direct vehicular access from the property to Winterpock Road will be limited to one (1) public road. (Proffered Condition 4.b)

The traffic impact of this development must be addressed. The applicant has proffered to construct right and left turn lanes along Winterpock Road at the public road intersection, reconstruct Winterpock Road for the entire property frontage and dedicate any additional right of way required for these improvements (Proffered Condition 4.c). In order to provide the turn lanes along Winterpock Road, significant, off-site right-of-way will have to be acquired from the properties to the north and south. According to Proffered Condition 4.c.iii, if the developer needs off-site right-of-way for construction of the turn lanes, and is unable to acquire it, the developer may request the county to acquire the right-of-way as a public road improvement. If the county chooses not to assist with the right-of-way acquisition, the developer will not be obligated to acquire the off-site right-of-way and will only be obligated to construct road improvements within available right-of-way.

A field visit to the property revealed that horizontal sight distance, when looking to the north, and vertical sight distance, when looking to the south, is limited along Winterpock Road. The applicant may have to provide additional off-site improvements and/or obtain off-site easements to obtain adequate sight distance at any public road intersection on Winterpock Road.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Traffic generated by this development will travel along Winterpock Road. Sections of Winterpock Road have little or no shoulders, fixed objects

adjacent to the edge of pavement, and poor vertical and horizontal alignments. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of this development. (Proffered Condition 3)

Cash proffers alone will not cover the cost of the road improvements needed in this area. There are no projects in this area currently included in the Six-Year Improvement Program. The county has a project to reconstruct McEnally Road between Winterpock Road and Spring Run Road. Construction is anticipated in summer of 2007.

During tentative subdivision review, specific recommendations will be provided regarding stub road rights-of-way to adjacent properties and the proposed internal street network.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	55*	1.00
Population Increase	149.60	2.72
Number of New Students		
Elementary	12.82	0.23
Middle	7.15	0.13
High	9.30	0.17
TOTAL	29.26	0.53
Net Cost for Schools	\$294,140	\$5,348
Net Cost for Parks	33,220	604
Net Cost for Libraries	19,195	349
Net Cost for Fire Stations	22,275	405
Average Net Cost for Roads	491,810	8,942
TOTAL NET COST	\$860,640	\$15,648

* Based on a proffered maximum yield of 2 dwelling units per acre (Proffered Condition 5). The actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other

applicants, the applicant has offered cash and road improvements to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 3)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for conservation (passive recreation) and single family residential use of two (2) dwelling units per acre or less.

The Upper Swift Creek Plan is currently under review. The Plan amendment, as drafted by Staff, also suggests conservation (passive recreation) and single family residential use of two (2) dwelling units per acre or less.

Area Development Trends:

Surrounding properties to the north, south and east are zoned Agricultural (A) and are occupied by single family dwellings on acreage parcels or are currently vacant. Property to the west is zoned Residential (R-12) as part of a proposed mixed use development known as Harper's Mill. It is anticipated that residential development consistent with densities suggested by the Plan will continue in this immediate area.

Site Design:

The property may be developed for cluster homes and/or single family residential uses, both of which are discussed in further detail herein. If the property is developed for both dwelling types, the Textual Statement requires the submission of a conceptual plan to either the Planning Commission or Planning Department for approval. At the time of review of a conceptual plan, conditions may be imposed to insure land use compatibility and transition. (Textual Statement A)

Density:

A maximum of two (2) dwelling units per acre has been proffered, yielding an overall maximum of fifty-five (55) dwelling units. (Proffered Condition 5)

Cluster:

Custer homes are proposed on individual lots having a minimum of 6,000 square feet. The density for any cluster development would be limited to six (6) units per acre. Other standards include setbacks, sidewalks, street trees, paved driveways, focal point and garage treatment. (Textual Statement B.1)

The requirements offered for cluster projects are consistent with those typically required by the Commission and Board on similar projects.

Single Family Residential:

Single family residential uses would be required to be developed in accordance with Ordinance requirements for Residential (R-12) Districts. The minimum lot size would be 12,000 square feet. Conditions address minimum dwelling sizes. (Textual Statement B.2)

Recreation Areas and Open Spaces:

Within each of the cluster home developments, a minimum of .75 acres of open space would be located as a focal point. Active and passive recreation areas may also be provided within any portion of the development. The Textual Statement provides for restrictions to minimize the impact of these recreational uses on surrounding residential uses. (Textual Statement B.1.h and 3)

Within the cluster home developments, where lot areas are reduced below the minimum 12,000 square feet, the Ordinance will require that comparable amount of square footage be placed in open space. Also, within the cluster developments, any required buffers along roads will be recorded in open space. (Textual Statement B.1.f)

CONCLUSIONS

The proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for conservation: passive recreation and residential use of 2.0 units per acre or less. Proffered Conditions limit the density of the development to two (2) units per acre. The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Applicant (5/15/07):

Proffered conditions were amended.

Planning Commission Meeting (5/15/07):

The applicant accepted the recommendation. There was opposition present. Concerns were expressed relative to density; water quality; traffic impacts on Winterpock Road with potential road connection to the adjacent Harpers Mill development; and poor sight distance on Winterpock Road.

Messrs. Litton and Wilson expressed concerns relative to the potential for additional traffic on Winterpock Road from Harpers Mill through the subject property should the developments connect.

Mr. Bass noted the curve on Winterpock Road presented sight distance concerns; that the applicant had just submitted a proffered condition to address this concern; and that additional time was warranted to evaluate this issue.

On their own motion, the Commission deferred this case to their July 17, 2007, meeting.

Staff (5/16/07):

The applicant was advised in writing that any significant new or revised information should be submitted no later than May 21, 2007 for consideration at the Commission's July public hearing.

Applicant (6/25/07):

Proffered conditions were amended.

TEXTUAL STATEMENT

March 12, 2007

Revised: April 23, 2007

This is a request to rezone 27.6 acres of the Property under consideration to R-12 with a Conditional Use Planned Development (CUPD) that will permit development of a mixed use, planned community including single family residences and cluster homes. Except as qualified herein, uses permitted in the Residential (R- 12) District and active and passive recreation uses shall be permitted throughout the property. In addition, the following uses, as more fully defined below, shall also be permitted:

A. General Requirements Applicable to All Uses

Mixing of Uses. Within the Property there shall be no “mixing” of uses (e.g., if the Property is to be developed for cluster homes, all of the Property shall be developed as cluster homes, or if the Property is developed for Residential (R-12) uses, all of the Property shall be developed for Residential (R-12) uses). Provided, however, the mixing of uses may be permitted if a conceptual plan is submitted for review and approval and the conceptual plan addresses land use transitions and compatibility between uses within the Property itself as well as with adjacent properties. Land use compatibility and transitions may include, but not necessarily be limited to, the exact location of uses, buffers, and site design. Such conceptual plans shall be approved by either the Planning Department or Planning Commission, at the election of the developer, and such review shall be subject to appeal in accordance the provisions of the Zoning Ordinance for site plan approval.

B. Requirements for Specific Uses

1. Cluster Homes

Single family detached cluster homes shall meet the following requirements:

- a) Lot Size. Each lot shall have an area of not less than six thousand (6,000) square feet and a lot width of not less than fifty (50) feet.

- b) Density. The overall density within each tract or part of a tract containing cluster homes shall not exceed six (6) units per gross acre.
- c) Front, Corner, Side and Rear Yard~. For principal structures, front corner side and rear yards shall have a minimum depth of twenty-five (25) feet. Accessory structures shall have a twenty-five (25) foot front yard setback but no rear yard setback.
- d) Side Yards Principal structures shall be located a minimum of five (5) feet from side property lines, however, if the overall intent of providing visual separation and clustering is achieved for the cluster home development, the Planning Commission, at time of tentative subdivision review, may approve exceptions to these side yard requirements. Accessory structures shall have no side yard setback. The tentative subdivision, final check, and record plats shall identify the specific setback criteria for each lot.
- e) Sidewalks Sidewalks shall be provided that facilitate pedestrian access within the Development, to the recreational areas serving the development, and to the overall project. The exact location and design of the sidewalks shall be determined by the County at the time of tentative subdivision review; provided, however, that, unless otherwise approved by the Planning Commission at time of subdivision review upon a determination that an alternative system will accomplish the spirit and intent of this requirement, sidewalks shall be installed on those portions of both sides of a public street where cluster homes front.
- f) Buffers Required buffers along roads shall be located within recorded open spaces.
- g) Paved Driveways All dwelling units shall have paved driveways. The exact treatment shall be approved at the time of tentative subdivision plan review.
- h) Focal Point. A minimum of 0.75 acres of open space shall be located and positioned to provide a “focal point” as one enters each cluster home development. Part of this area shall be landscaped and have benches and other amenities that accommodate and facilitate outdoor gatherings. This area shall be developed concurrently with the development of the first phase of each cluster home development, and its exact design and location shall be approved at the time of tentative subdivision review.
- i) Garages. Front loaded garages shall be located no closer to the street than the front façade of the dwelling unit.
- k) Street Trees. Street trees shall be planted or retained along each side of all public roads where sidewalks are provided.

2. Residential (R-12)

All dwellings other than Cluster Homes shall meet the requirements of the Residential (R-12) District as well as the following requirements:

- a) Minimum Square Footage for Single Family Dwellings. With the exception of Cluster Homes, the minimum gross floor area for single family detached homes shall be as follows:

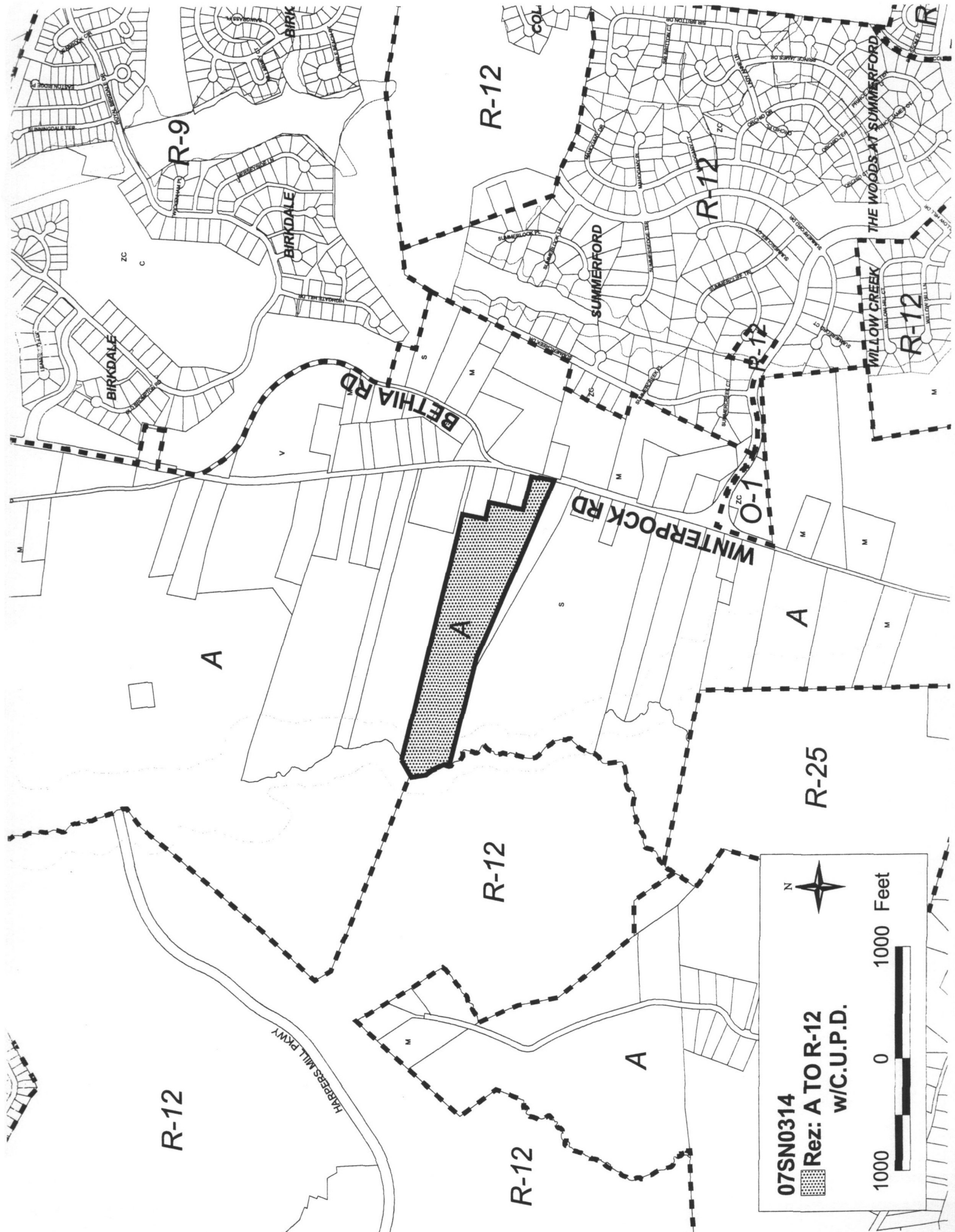
1 story	1,700 square feet;
More than 1 story	2,000 square feet.

3. Recreation Areas At the election of the developer, active and passive recreation areas may be provided. Such recreation areas shall be subject to the following requirements:

- (i) With the exception of playground areas which accommodate swings, jungle gyms, or similar facilities and tennis courts, all outdoor play fields, swimming pools and similar active recreational areas shall be located a minimum of one hundred (100) feet from adjacent properties zoned or designated on the County's Comprehensive Plan for residential use, a minimum of one hundred (100) feet from any existing or proposed single family residential lot line, and a minimum of fifty (50) feet from any existing or proposed road.
- (ii) Within the one hundred (100) and fifty (50) foot setbacks, a fifty (50) foot buffer shall be provided along the perimeter of all active recreational facilities except where adjacent to any existing or proposed road. This buffer shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers.
- (iii) Any playground areas (i.e. areas accommodating swings, jungle gyms or similar such facilities) and tennis courts shall be located a minimum of forty (40) feet from all property lines. A forty (40) foot buffer shall be provided along the perimeter of these recreational facilities except where adjacent to any existing or proposed roads. This buffer shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers.
- (iv) Nothing within this condition shall prevent development of indoor facilities and/or parking within the one hundred (100) foot setback.

- (v) There shall be no outside public address system or speakers.
- (vi) The maximum exterior lighting for recreational uses shall comply with Section 19-508.3 of the Zoning Ordinance.
- (vii) The location of all active recreational uses shall be identified in conjunction with the submittal of the first tentative subdivision plan.
- (viii) In conjunction with the recordation of any lot adjacent to active recreational area(s), such area(s) shall be identified on the record plat along with the proposed recreational uses and required conditions.

Carrie E. Coyner, Trustee



07SN0314

Rez: A TO R-12
w/C.U.P.D.



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